

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

RONALD D. MYERS, on behalf of)
himself and all others similarly situated,)

Plaintiff,)

v.)

AVIAGEN TURKEYS, INC.,)

Defendant.)

Civil Action No. 5:18-cv-00967

STIPULATION OF DISMISSAL WITH PREJUDICE

Now Comes Plaintiff, Ronald Myers, by counsel, D. Adrian Hoosier, and Defendant, Aviagen Turkeys, Inc, by counsel, Christopher Lauderdale, Chip E. Williams and Jared C. Underwood, and stipulate to the dismissal of this action pursuant to Rule 41(a)(1(ii)) of the Federal Rules of Civil Procedure. The parties further stipulate that the withdrawal is WITH PREJUDICE, and with no award of attorneys' fees, costs, and/or disbursements to any party.

Respectfully submitted this 6th day of September, 2018.

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s/ D. Christopher Lauderdale

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